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September 20, 2011

VIA E-MAIL

Honorable Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street, Room 735
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: **22 SEP 2011**

Re: *Ana Beatriz Lontra Jobim, et al. v. Songs of Universal, Inc.*, 05 Civ. 3527 (PAC) –
Joint Request for Suspension of Accounting Issues Phase

Dear Judge Crotty:

This firm represents plaintiffs in the referenced action, the heirs of the late musician and composer Antonio Carlos Jobim (the "Heirs"). I write, with the knowledge and consent of defendant's counsel, to update the Court on the status of the action and respectfully request an adjournment of the present discovery schedule so that plaintiffs and defendant may engage in a voluntary mediation that will also include the participation of a critical third party.

As Your Honor may recall, this matter is presently in the "Accounting Issues" phase following the Court's decision on summary judgment motions filed by both the Heirs and defendant Songs of Universal, Inc. ("Universal") on issues related to the existence of contractual breaches. The Accounting Issues phase, which is essentially the damages component of the pre-trial proceedings, contemplates discovery concerning royalties and other amounts that may be owed to the Heirs under the sub-publishing contracts at issue.

As the Court is aware, one of the remaining issues is what damages, if any, the Heirs have suffered as a result of Universal's grant of certain administration rights in respect of the compositions at issue to a lyricist named Norman Gimbel. Accordingly, the parties contacted Mr. Gimbel's representatives to determine whether he would be willing to engage in mediation with both Universal and the Heirs in an effort to resolve all outstanding issues among the three groups. Mr. Gimbel has agreed to do so, and the parties are in the process of engaging a mediator in Los Angeles, California - - where both Universal and Mr. Gimbel are located. The parties hope to schedule that mediation on a date in the near future.

In light of the contemplated mediation - - which the parties sincerely hope will lead to a global resolution of all disputes between them - - the parties respectfully request a suspension of the Accounting Issues phase of this litigation. The parties further propose that, upon the conclusion of the mediation, they will either notify the Court that they have reached a settlement of the action or, in the event that the mediation is unsuccessful, present for Your Honor's

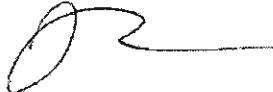
MEMO ENDORSED

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approval a stipulated, revised discovery schedule for the completion of the Accounting Issues phase of this action.

Thank you very much for your considered attention to this matter.

Respectfully,



John J. Rosenberg

cc: Matthew H. Giger, Esq. (via e-mail)
Andrew H. Bart, Esq. (via e-mail)

✓ SO ORDERED: 22 SEP 2011



HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE